IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

-

WRIT PETITION NO : 12800 of 2005

Between:

R.Aruna, w/o. Raghupathi Reddy, Fair Price Shop Dealer,

Gudipadu village, Gudur Mandal, Kurnool District.

..... PETITIONER

AND

1. The District Collector, Kurnool.

2. The Joint Collector, Kurnool.

3. The Revenue Divisional Officer, Kurnool.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the 1st respondent to pass orders in the Revision Petition filed by the petitioner on 2.6.2005 against the orders of the 2nd respondent/Joint Collector in R.Cs.No.CS3/284/2004, dated 20.5.2005 as illegal and arbitrary.

Counsel for the Petitioner: MR.VINAY KAMISETTY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following:

ORAL ORDER:

This Writ Petition is being disposed of at the stage of admission with the consent of both the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

2. The petitioner herein is a Fair Price Shop Dealer of Gudipadu village, Guduru Mandal, Kurnool District. The 3rd respondent-Revenue Divisional Officer, Kurnool, based on a report submitted by the Mandal Parishad Development Officer, suspended the authorization given in favour of the petitioner, against which the petitioner preferred an appeal to the 2nd respondent-Joint Collector, Kurnool and sought stay of the order of the 3rd respondent-Revenue Divisional Officer. The appellate authority-Joint Collector granted stay of the proceedings of the Revenue Divisional Officer by order dated 16.8.2004. Eventually the appeal was taken up for hearing and by order dated 20.5.2005, the 2nd respondent directed the 3rd respondent to finalise the case as expeditiously as possible keeping in view the contention of the petitioner that she obtained signatures on the Acquittance Registers from the Assistant Engineer, Rural Water Supply, Guduru and on the coupons from the Village Development Officer, Gudipadu and on the contention that she had handed over the coupons and acquittances in the MRO's Office. The petitioner herein preferred a Revision to the District Collector along with an application seeking stay of the operation of the order of the Joint Collector. Despite the fact that the order of suspension was passed by the Revenue Divisional Officer on 16.8.2004, the petitioner continued to effect the supplies till the month of May, 2005.

3. Heard the learned Government Pleader.

4. Needless to state that since the petitioner's valuable right of continuing to effect supplies is likely to be affected if the revision is not disposed of early, a direction shall issue to the 1st respondent directing him to dispose of either the stay application, filed by the petitioner along with the Revision or the Revision, itself within a period of two (2) weeks from the date of receipt of a copy of this order. The petitioner is permitted to communicate the order of this Court to the 1st respondent-District Collector.

5. The Writ Petition is disposed of accordingly. No costs.

16.6.2005

SSR

Issue copy in three days.

(BO)

To

1. The District Collector, Kurnool.

2. The Joint Collector, Kurnool.

3. The Revenue Divisional Officer, Kurnool.

4. 2 CCs to G.P. for Civil Supplies, High Court of A.P. Hyderabad. (OUT)

5. 2 CD copies

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